

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DYLAN TROY JACKSON, et al.,

Defendants.

**Case No. CR-22-77-GF-BMM-3**

**AMENDED ORDER**

Defendant Dylan Jackson's (Jackson) Motion to Continue (Doc. 132) is now before the Court. Plaintiff has no objection.

Jackson requests the current trial setting of January 24, 2023 be continued for 45-60 days. (*Id.*) Jackson motion states that his counsel was appointed to this case on January 13, 2023. (Doc. 131.) There are some materials that the Government indicates can only be reviewed in the Great Falls office of the United State Attorney. Jackson requires additional time to review discovery with his counsel, discuss trial options and evidentiary issues, file motions and prepare for trial, or to resolve the case short of trial after full review of this case. Because of these factors a continuance is warranted.

A district court may grant a continuance and exclude the time period of the continuance from the calculation of the speedy trial date when "the ends of justice served by [the continuance] outweigh the best interest of the public and the

defendant in a speedy trial.” 18 U.S.C. §3161(h)(7)(A). In determining whether an “ends of justice continuance” is appropriate, a district court must consider, inter alia, whether the failure to grant the continuance will result in a miscarriage of justice; whether the case is so unusual or complex that it is unreasonable to expect adequate preparation within the time limits imposed by the Speedy Trial Act; and whether the case, while not complex or unusual, would nonetheless deny counsel the reasonable time necessary for effective reparation. *Id.* §3161(h)(7)(B). An “ends of justice continuance . . . must be specifically limited in time [and] must be justified on the record with reference to the facts as of the time the delay is ordered.” *United States v. Lloyd*, 125 F.3d 1263, 1268 (9<sup>th</sup> Cir. 1997). Any additional time is properly excluded under the Speedy Trial Act “only if the district court makes certain findings enumerated in [§ 3161(h)(7)].” *Bloate v. United States*, 130 S. Ct. 1345, 1351 (2010).

Jackson is charged with Kidnapping of an Individual under 18, in violation of Title 18 U.S.C. §§ 1153(a) and 1201(a)(g) and 2; Assault Resulting in Serious Bodily Injury, in violation of Title 18 U.S.C. §§1153(a), 113(a)(6) and 2; and Assault Resulting in Substantial Bodily Injury to a Minor, in violation of Title 18 U.S.C. §§1153(a), 113(a)(7) and 2. The crimes allegedly occurred on or about September 15, 2021, in Wolf Point, within Roosevelt County, in the State and

District of Montana, and within the exterior boundaries of the Fort Peck Indian Reservation. If convicted, Jackson faces a maximum sentence of life in prison.

A continuance of the trial is appropriate under 18 U.S.C. §§3161(h)(7)(A), (B)(I) and (B)(ii). The ends of justice served by a continuance outweighs the interests of the Defendant and the public in a speedy trial. The failure to grant a continuance would deny Jackson and his counsel the reasonable time necessary for effective trial preparation, resulting in a potential miscarriage of justice.

Accordingly,

**IT IS HEREBY ORDERED** that Jackson's Unopposed Motion to Continue Trial (Doc. 132) is **GRANTED**. **IT IS ALSO ORDERED** that the final pretrial conference and jury trial set for January 24, 2023, are **VACATED**.

The following schedule shall apply. The final pretrial conference is rescheduled for **Tuesday, March 21, 2023 at 8:30 a.m.** The parties are to report to the chambers of the undersigned. The jury trial is rescheduled for **Tuesday, March 21, 2023 at 9:00 a.m.** in the Charles N. Pray Courtroom at the Missouri River Federal Courthouse, Great Falls, Montana. The motions deadline is **February 21, 2022**. The plea agreement/notice of intent to proceed to trial deadline is **March 7, 2023**. Expert reports are due on or before **March 9, 2023**.

The Jury Instructions and Trial Briefs are due by **March 14, 2023**.

**All time between the date of this order and March 21, 2023, shall be excluded for purposes of speedy trial.**

DATED this 18<sup>th</sup> day of January, 2023.

A handwritten signature in blue ink, reading "Brian Morris".

---

Brian Morris, Chief District Judge  
United States District Court